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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

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13 MICHAEL DeMARTINI and RENATE
DeMARTINI,

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Plaintiffs,

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v.

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THOMAS CHRISTOPHER JOHNS; JOHNS
& ALLYN, A.P.C.; and DOES 1 TO 30,
inclusive.,

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Defendants.

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CASE NO. 3:12-CV-03929-JCS

**[PROPOSED] ORDER GRANTING
MOTION TO REOPEN CASE AND
VACATE ARBITRATION AWARD**

Judge: Magistrate Judge Joseph C. Spero

Date: November 21, 2014

Time: 9:30 a.m.

Courtroom: G

1 This matter came before the Court on November 21, 2014 before the Honorable Joseph C.
2 Spero, United States Magistrate Judge, presiding, on Defendants Thomas Christopher Johns's and
3 Johns & Allyn, A.P.C.'s Motion to Reopen and Vacate Arbitration Award. The Court has
4 considered the moving papers, all papers in support and opposition thereto, the arguments of
5 counsel, and the record, and based thereon, GRANTS the motion.

6 The portion of the July 30, 2014 Award issued by Arbitrator Marshall in an arbitration
7 administered by the American Arbitration Association (AAA No. 7419448513 S1M) that awards
8 \$158,000 in damages and \$19,100 in arbitration fees and costs to Plaintiffs Michael and Renate
9 DeMartini based on the alleged failure to produce evidence in regard to mineral rights is hereby
10 VACATED.

11 IT IS SO ORDERED.

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13 Dated: _____, 2014

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The Honorable Joseph C. Spero
United States Magistrate Judge

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